

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF IOWA
CENTRAL DIVISION

ALLY FINANCIAL INC., a Delaware
Corporation,

Plaintiff,

vs.

THOMAS D. GRETTER, an Individual;
JOHN D. GRETTER, an Individual,

Defendants.

Case No. 4:15-CV-00051-SMR-HCA

**NOTICE OF CONDITIONAL
SETTLEMENT OF PLAINTIFF ALLY
FINANCIAL INC.'S CLAIMS AGAINST
DEFENDANT, JOHN D. GRETTER**

**TO THIS HONORABLE COURT AND TO ALL PARTIES AND TO THEIR
ATTORNEYS OF RECORD, PLEASE TAKE NOTICE THAT:**

Plaintiff Ally Financial Inc. (“Ally”) on the one hand and defendant John D. Gretter, an individual (“John Gretter”), on the other hand, have, on January 26, 2016, entered into and executed a written settlement agreement to conditionally resolve Ally’s claims alleged in this action against John Gretter subject to and conditioned upon John Gretter’s compliance with and performance of the terms and conditions of the written settlement agreement on or before February 10, 2016. Ally and John Gretter have also stipulated and agreed that, in the event of John Gretter’s complete and timely performance of the written settlement agreement entered into with Ally, Ally shall file a stipulation executed by Ally and John Gretter dismissing Ally’s claims alleged in this action against John Gretter with prejudice no later than February 16, 2016.

PLEASE TAKE FURTHER NOTICE THAT pursuant to the terms of Ally’s written settlement agreement with John Gretter and the conditional stipulation for dismissal of Ally’s claims against John Gretter, Ally has expressly reserved all of its rights and remedies in

connection with the prosecution of Ally's claims for relief for: a) breach of contract (personal guaranty); b) conversion; c) fraud; and d) negligent misrepresentation alleged by Ally against defendant, Thomas Gretter in the Complaint filed by Ally in this action, whose default was entered by the Court on June 16, 2014, including but not limited to Ally's intention to re-file its motion for default judgment against Thomas Gretter.

DATED: January 28, 2016

BRICK GENTRY P.C.

By: s/ Douglas A. Fulton

Douglas A. Fulton (Iowa State Bar #8813)

Doug.Fulton@brickgentrylaw.com

Lead Attorney

BRICK GENTRY P.C.

6701 Westown Parkway, Suite 100

West Des Moines, IA 50266-7703

Telephone: (515) 274.1450

Facsimile: (515) 274-1488

Attorneys for Plaintiff Ally Financial Inc.

DATED: January 28, 2016

By: s/ Eleanor M. Roman

Eleanor M. Roman (California State Bar No. 178736)

(Admitted *pro hac vice*)

emr@severson.com

Lead Attorney

SEVERSON & WERSON

A Professional Corporation

One Embarcadero Center, Suite 2600

San Francisco, California 94111

Telephone: (415) 398-3344

Facsimile: (415) 956-0439

Attorneys for Plaintiff Ally Financial Inc.